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| APPLICATION NO.                        | FILING DATE        | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |  |
|----------------------------------------|--------------------|----------------------|-------------------------|------------------|--|
| 10/077,610                             | 02/15/2002         | Scott Dickover       | 22866-002               | 2873             |  |
| 35437 7                                | 590 04/29/2004     | EXAMINER             |                         |                  |  |
| MINTZ LEV                              | IN COHN FERRIS GLO | VALENZA,             | VALENZA, JOSEPH E       |                  |  |
| 666 THIRD AVENUE<br>NEW YORK, NY 10017 |                    |                      | ART UNIT                | PAPER NUMBER     |  |
| NEW TORKS                              | 111 10017          |                      |                         |                  |  |
|                                        |                    |                      | DATE MAILED: 04/29/2004 |                  |  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Applicati                                                                                                                                          | on No.                                                                                                                           | Applicant(s)                                                                                                   | <del>-</del>                          |  |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------|--|
| Office Action Summary                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 10/077,6                                                                                                                                           |                                                                                                                                  | DICKOVER ET AL.                                                                                                | 1                                     |  |
|                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Examine                                                                                                                                            |                                                                                                                                  | Art Unit                                                                                                       | · · · · · · · · · · · · · · · · · · · |  |
|                                                                                                              | ,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Joseph \                                                                                                                                           |                                                                                                                                  | 3651                                                                                                           |                                       |  |
|                                                                                                              | The MAILING DATE of this commun                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                    |                                                                                                                                  | i                                                                                                              | is                                    |  |
| Period for I                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                    |                                                                                                                                  |                                                                                                                |                                       |  |
| THE MA - Extension - Extension - If the pe - If NO pe - Failure to                                           | RTENED STATUTORY PERIOD F<br>AILING DATE OF THIS COMMUN<br>ons of time may be available under the provisions<br>( (6) MONTHS from the mailing date of this common<br>riod for reply specified above is less than thirty (3)<br>criod for reply is specified above, the maximum st<br>to reply within the set or extended period for reply<br>by received by the Office later than three months apparent term adjustment. See 37 CFR 1.704(b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | ICATION. of 37 CFR 1.136(a). In no evenunication. (0) days, a reply within the state attuory period will apply and we will by statute cause the an | vent, however, may a reply be<br>tutory minimum of thirty (30) o<br>vill expire SIX (6) MONTHS fro<br>plication to become ABANDO | timely filed<br>lays will be considered timely.<br>om the mailing date of this commu<br>NED (35 U.S.C. § 133). | inication.                            |  |
| Status                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                    |                                                                                                                                  |                                                                                                                |                                       |  |
| 1)⊠ R                                                                                                        | esponsive to communication(s) file                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ed on <u>16 April 2004</u> .                                                                                                                       | •                                                                                                                                |                                                                                                                |                                       |  |
| • • • • • • • • • • • • • • • • • • • •                                                                      | •                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2b)☐ This action is                                                                                                                                | non-final.                                                                                                                       |                                                                                                                |                                       |  |
| 3) Since this application is in condition for allowance except for formal matters, prosecution as to the mer |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                    |                                                                                                                                  |                                                                                                                |                                       |  |
| С                                                                                                            | losed in accordance with the pract                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ice under <i>Ex part</i> e Q                                                                                                                       | uayle, 1935 C.D. 11,                                                                                                             | 453 O.G. 213.                                                                                                  |                                       |  |
| Dispositio                                                                                                   | n of Claims                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                    |                                                                                                                                  |                                                                                                                |                                       |  |
| 4)⊠ C<br>4;<br>5)□ C<br>6)⊠ C<br>7)□ C                                                                       | Claim(s) <u>1 and 2</u> is/are pending in the above claim(s) is/acclaim(s) is/are allowed. Claim(s) <u>1 and 2</u> is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restricted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | are withdrawn from co                                                                                                                              |                                                                                                                                  |                                                                                                                |                                       |  |
| Applicatio                                                                                                   | n Papers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                    |                                                                                                                                  |                                                                                                                |                                       |  |
| 10)□ T<br>,                                                                                                  | he specification is objected to by the drawing(s) filed on is/are applicant may not request that any objected sheet(s) including the oath or declaration is objected the specific sheet of the oath or declaration is objected the specific sheet of the specific sheet is objected to the specific sheet of t | e: a) accepted or be<br>ection to the drawing(s)<br>g the correction is requ                                                                       | be held in abeyance.<br>ired if the drawing(s) is                                                                                | See 37 CFR 1.85(a).<br>objected to. See 37 CFR                                                                 | 1.121(d).<br>152.                     |  |
| Priority ur                                                                                                  | nder 35 U.S.C. § 119                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                    |                                                                                                                                  |                                                                                                                |                                       |  |
| 12) A<br>a) C                                                                                                | cknowledgment is made of a claim All b) Some * c) None of:  Certified copies of the priority Copies of the certified copies application from the Internative the attached detailed Office activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | y documents have be<br>y documents have be<br>s of the priority docur<br>ional Bureau (PCT R                                                       | een received.<br>een received in Applic<br>nents have been reco<br>ule 17.2(a)).                                                 | cation No eived in this National St                                                                            | age                                   |  |
| 2) Notice 3) Inform                                                                                          | s) of References Cited (PTO-892) of Draftsperson's Patent Drawing Review ation Disclosure Statement(s) (PTO-1449 of No(s)/Mail Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                    | 4)                                                                                                                               |                                                                                                                | 52)                                   |  |

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## **DETAILED ACTION**

1. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminski in view of Miller and Syverson.

It would have been obvious that driven drum 4 with knurled surface 10 (see column 6 lines 33-37) of Kaminski could house a drive as taught by drum 11 of Miller. The design of the drive could be as taught by Miller, with a rack fixed to the rotating drum and a motor fixed to the stationary shaft, or as taught by Syverson, with a field magnet 64 fixed to the rotating drum and an armature 40 mounted on the fixed shaft. Therefore, the design of the drive for the drum is considered to be functionally equivalent to those in the prior art.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the armature and field magnet of claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication should be directed to Joseph E. Valenza at telephone number (703) 308-2577. Amendments may be faxed to (703) 872-9306. My normal work week is Monday through Thursday.

JOSEPH E. VALENZA PRIMARY EXAMINER